

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RIHITO MATSUI on behalf of himself and
all others similarly situated

Case No.: 7:22-cv-3210

Plaintiff,

vs.

WINDHAM PROFESSIONALS, INC.
and JOHN AND JANE DOES 1-10

Defendants.

DEFENDANT WINDHAM PROFESSIONALS, INC.'S NOTICE OF REMOVAL

Defendant Windham Professionals, Inc. (“Defendant”) files this Notice of Removal of this action to the United States District Court for the Southern District of New York as follows:

1. On February 25, 2022, Plaintiff Rihito Matsui (“Plaintiff”) commenced a civil action, via Summons with Notice, against Defendant in the Supreme Court of the State of New York, County of Westchester.
2. On March 24, 2022, Plaintiff filed his Complaint in State Court.
3. As set forth in the Complaint, this is a civil action based on Plaintiff’s contentions that Defendant has violated the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* (the “FDCPA”).
4. Removal is proper because this case involves a federal question—alleged violations of the FDCPA. Therefore, the entire suit is removable under 28 U.S.C. §1441(a).
5. Removal is timely pursuant to 28 U.S.C. §1446(b) because Defendants have filed this Notice of Removal within 30 days of receipt of Plaintiff’s Complaint.

6. Venue is proper in this district under 28 U.S.C. §1441(a) because the state court where the suit has been pending is located in this district.

7. Pursuant to 28 U.S.C. §1446(a), copies of all process, pleadings, orders and other papers filed in this action and obtained by Defendants are attached hereto and marked as composite **Exhibit A** and incorporated herein by reference.

8. A copy of this Notice of Removal has been sent to Plaintiffs and will be filed with the clerk of the Supreme Court of the State of New York, County of Westchester.

9. A jury demand was made in state court.

10. A civil cover sheet will be contemporaneously filed with this pleading.

11. Defendant reserves the right to amend or supplement this Notice of Removal and further reserves the right to raise all defenses or objections.

For the above reasons, Defendant Windham Professionals, Inc. requests that this Court assume full jurisdiction over the proceeding as provided by law.

Date: April 19, 2022

LIPPES MATHIAS LLP

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